

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

JAMES PATTERSON

v.

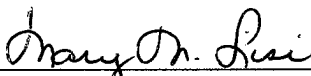
CA 10-136 ML

STATE OF RHODE ISLAND, et al.

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation issued by Magistrate Judge Almond on April 22, 2011. No objection has been filed and the time for doing so has passed. The Court, therefore, adopts the Report and Recommendation in its entirety. Defendant Ippolito's Motion to Dismiss is GRANTED with respect to Plaintiff's Constitutional claims under the Fourth Amendment for unlawful arrest, and his claims under the Eighth and Fourteenth Amendments. The Motion to Dismiss is DENIED with respect to Plaintiff's claim under the First Amendment and his claim for unlawful search under the Fourth Amendment. Defendant Ippolito's request that the Court decline to exercise supplemental jurisdiction over Plaintiff's state law claims is DENIED. Finally, Plaintiff's claims under 42 U.S.C. §§ 1981 and 1985 are DISMISSED for lack of prosecution as to all Defendants.

SO ORDERED:



Mary M. Lisi
Chief United States District Judge
May 17, 2011